

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	LUDMERER, Steven W. et al.	Confirmation No.:	9691
Serial No.:	10/577,893	Case No.:	21564YP
Art Unit:			1648
Filed:	01 May 2006	Examiner:	A. Boesen
For:	HCV REPLICONS CONTAINING NS5B FROM GENOTYPE 2B		

Mail Stop: Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Petition to Withdraw the Holding of Abandonment

Sir:

This communication is in response to the Notice of Abandonment Under 37 CFR §1.53(f) or (g) (hereafter “Notice”) mailed November 2, 2011 in connection with the above-identified application. The Notice contends that the application was abandoned for failure to timely or properly reply to the Notice to File Missing Parts mailed January 5, 2007. However, a response was timely filed on January 24, 2007. The response was filed via Express Mail and is shown on the Patent Application Information Retrieval system (hereafter “PAIR”) as having arrived and been scanned into the system on January 26, 2007.

This Notice is the third time this application was erroneously abandoned. A first Notice of Abandonment was mailed on August 18, 2010 alleging lack of response

for the same Notice to File Missing Parts mailed January 5, 2007. Applicants responded by filing a Petition to Withdraw the Holding of Abandonment on September 21, 2010.

The Petition was granted by Nancy Johnson in the Office of Petitions on January 3, 2011.

A second Notice of Abandonment was mailed on March 30, 2011 alleging lack of response for the same Notice to File Missing Parts mailed January 5, 2007.

Applicants responded by filing a Petition to Withdraw the Holding of Abandonment on May 20, 2011. The Petition was granted by Nancy Johnson in the Office of Petitions on June 21, 2011.

A return copy of the Notice of Abandonment mailed November 2, 2011 is included with this submission.

Conclusion

It is believed that the Notice of Abandonment was sent in error. Applicants request a withdrawal of the holding if abandonment.

Authorization

No fee is believed to be due. However, the Commissioner is hereby authorized to charge any fees which may be required for consideration of this Petition to deposit account 13-2755.

Respectfully submitted,

Dated: December 1, 2011 By: /Melissa B. Wenk Reg. No. 53,759 /
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